

18-04-2022
Subha
Item no.02
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 3085 of 2019

In the matter of : **Sandip Chakraborty & Anr.**petitioners.

In Re : An application under 482 of the Code of Criminal Procedure.

Mr. Dipanjan Chatterjee,
.....for the petitioners.

Mr. Partha Sarathi Das
.....for the O. P. No.2.

Mr. Imran Ali
Mrs. Debjani Sahu
.....for the State.

The present revisional application has been preferred challenging the continuance of the proceedings being Kalyani P. S. Case No. 31 of 2019 dated January 17, 2019 under Sections 498A/406/420/506/34 of the Indian Penal Code.

During the pendency of the revisional application, the police Authorities on completion of investigation submitted chargesheet before the jurisdictional court.

However, I find that during the pendency of the revisional application, the parties have entered into compromise and there has been mutual settlement between the parties. Earlier, a report was called for through the Officer-in-Charge of the Kalyani Police Station for deputing an officer for the purposes of recording the statement of the de facto complainant.

Pursuant to the same, Mrs. Debjani Sahu, learned advocate for the State has submitted a report. The said report encloses a communication made to the Inspector-in-Charge, Kalyani Police Station as well as the further statement recorded by the Police Authorities of Arpita Chowdhuri(Bose). Let the report be kept with the record. The statement and the communication reflect that the de facto complainant is not interested in pursuing the litigation, rather she intends to withdraw the present case.

Having regard to the changed circumstances, I am of the opinion that further continuation of the proceedings relating to Kalyani P. S. Case No. 31 of 2019 dated 17.01.2019 under Section 498A/34 of the Indian Penal Code would be an abuse of the process of court and as such, is required to be quashed.

Thus, Kalyani P. S. Case No. 31 of 2019 dated 17.01.2019 under Section 498A/34 of the Indian Penal Code is quashed.

Accordingly, the present revisional application being CRR 3085 of 2019 is allowed.

All pending applications, if any, in connection with the revisional application, are consequently disposed of.

Interim order, if any, is hereby made absolute.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

